

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN THE MATTER OF THE COMPLAINT
OF F/V MISS MADDISON, INC., AS
OWNERS AND/OR OPERATORS OF THE
VESSEL MELODY OFFICIAL NUMBER
698044, FOR EXONERATION FROM
AND/OR LIMITATION OF
LIABILITY

IN ADMIRALTY

Case No. 2:22-cv-01756-RSM

**ORDER DIRECTING NOTICE
AND PUBLICATION TO
INTERESTED PARTIES, AND
ENJOINING PROSECUTION OF
CLAIMS**

WHEREAS, pursuant to the Limitation of Liability Act, 46 U.S.C. § 30501 *et seq.* and Rules F(1) and F(2) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, Limitation Plaintiff F/V Miss Maddison, Inc., by and through its attorneys, Holmes Weddle & Barcott, have instituted a proceeding in this Court for limitation of and/or exoneration from liability as owners and/or operators of the MELODY, official number 698044, (hereinafter the “Vessel”), with respect to an incident occurring on June 17, 2022, in which the Vessel sank; and

WHEREAS, Limitation Plaintiff states that the Vessel sank and was completely lost, and

WHEREAS, Limitation Plaintiff posted security for costs in the sum of \$500.00, with interest thereon at the rate of six percent (6%) per annum from the date of the posting

**ORDER DIRECTING NOTICE AND
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ENJOINING PROSECUTION OF CLAIMS - 1**
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HOLMES WEDDLE & BARCOTT, PC
3101 WESTERN AVE, SUITE 500
SEATTLE, WA 98121
TELEPHONE (206) 292-8008
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1 of security;

2 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
3 DECREED:

4 1. Limitation Plaintiff asserts that the Vessel sank and was completely lost, and no
5 freight was aboard.

6 2. Limitation Plaintiff has complied with Supplemental Admiralty Rule F(1) and
7 Local Supplemental Admiralty Rule 120(b) by depositing security for costs in the amount of
8 five hundred dollars (\$500), plus interest at the rate of six percent (6%) from the date of
9 security. Limitation Plaintiff at this time does not need to deposit additional security for value
10 with the Court. This ruling is WITHOUT PREJUDICE to the due appraisal of Limitation
11 Plaintiff's interest in the Vessel and pending freight, and any claimant's demand that the
12 deposit or security be increased in accordance with Supplemental Admiralty Rule F(7);

13 3. Under Supplemental Admiralty Rule F(3), the prosecution of any and all suits,
14 actions or proceedings of any nature or description whatsoever against Limitation Plaintiff,
15 their agents, servants or employees or against the Vessel, except in the present proceeding, in
16 respect of any claim arising out of, occasioned by, consequent upon or otherwise connected
17 with the aforesaid incident, or arising during the voyage upon which the Vessel was then
18 engaged, are HEREBY STAYED AND RESTRAINED until such time as the Court determines
19 whether to dissolve the injunction. Limitation Plaintiff is ORDERED to serve a copy of this
20 Order on the persons and other legal entities to be restrained, or their attorneys;

21 4. In accordance with Supplemental Admiralty Rule F(4) and Local Supplemental
22 Admiralty Rule 150, Limitation Plaintiff shall publish a copy of the following notice in the
23 Seattle Daily Journal of Commerce for four consecutive weeks starting the week of January 23,
24 2023, in substantially the form set forth below:

Notice to Interested Parties: F/V Miss Maddison, Inc., owner
and/or operator of the MELODY, official number 698044
(hereinafter "the Vessel"), an approximately 32 foot vessel of 20

**ORDER DIRECTING NOTICE AND
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gross tons, filed a Complaint pursuant to the Limitation of Liability Act, 46 U.S.C. § 30510 et seq., claiming the right to exoneration from and/or limitation of liability for all claims against it for injury, death, or other damage resulting from an incident occurring on June 17, 2022, in which the Vessel sank while being operated upon the navigable waters of Bristol Bay, Alaska near the Egegik River.

Any person or legal entity who has or may have such a claim must, on or before February 22, 2023, file it with the Clerk of Court, U.S. Federal District Court, Western District of Washington at Seattle, under the title "In re F/V Miss Maddison, Inc." and Cause No. 2:22-cv-01756. Any such claim must comply with the requirements of Rule F of the Supplemental Rules for Admiralty or Maritime Claims of the Federal Rules of Civil Procedure. A copy must also be served on or mailed to the plaintiffs' attorneys, Michael A. Barcott and Daniel P. Barcott, HOLMES WEDDLE & BARCOTT, 3101 Western Ave, Suite 500, Seattle, WA 98121.

Any claimant who desires to contest F/V Miss Maddison, Inc.'s, right to exoneration from and/or limitation of liability shall file and serve an answer to the Complaint in the above-referenced matter on or before February 22, 2023, unless such answer is included in the claim. This notice is published pursuant to the order of said Court, Honorable Ricardo S. Martinez, dated January 19, 2023, and Rule F(4) of the Supplemental Rules for Admiralty or Maritime Claims.

5. Limitation Plaintiff shall, not later than the day of the second publication required in paragraph (4) above, mail copies of the Complaint and this Order to: (1) the last known address of those persons who are reported to have been injured as set forth in the Complaint, and to any attorneys known to represent them; and (2) to such other persons and other legal entities as are known to have any claim against the Limitation Plaintiff or the Vessel and to any attorney known to represent them.

DATED this 19th day of January, 2023.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE